

Remarks:

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1-2, 5-12, 15, 17, 21-23, 25-30, and 32-42 are pending in the application. No claims have been allowed. Claims 1, 2, 15, 23, 25, 35, 38 and 39 are independent. Some claims have been amended for reasons not necessarily related to patentability (e.g., clarification).

Objections to Claims

Claims 38, 39, 41, and 42 were objected to for being improperly dependent on method claims. Applicants have amended claims 38 and 39 to independent form. However, claims 41 and 42 depend from claims (25 and 35) that are not method claims. Accordingly, Applicants do not believe that further amendment is required.

Support for Amendments

Support for the amendments to claim 1 is found throughout the Application. For example, support for the “job performance criteria predictions” language is found at Page 6, line 6 et seq.

Support for the “computer-readable medium” language is found, for example, at Page 7, lines 2-3.

Rejection under § 101

Applicants respectfully disagree with the Action’s characterization of the claims as a mathematical algorithm not resulting in a practical application producing a concrete, useful, and tangible result.

Claim 1

Claim 1 recites “generating an artificial-intelligence-based predictive model in a computer-readable medium.” The result is therefore concrete, useful, and tangible.

The claim is not directed to an improper mathematical algorithm, such as $E=mc^2$, see MPEP § 2106 IV.B.1, but rather includes the language “the one or more job performance criteria predictions are usable as a basis for a hiring recommendation or other employee selection information.” See MPEP § 2106 IV.A.2.b.ii.

For at least these reasons, claim 1 and its dependent claims, 5-12, are allowable under § 101.

Claim 2

Claim 2 recites a “computer-readable medium” and is therefore allowable as a *Beauregard* claim under § 101.

Claim 15

Claim 15 recites “testing effectiveness of the models to select an effective model; and applying the effective model . . .” and therefore recites a concrete, useful, and tangible result.

Claim 15 and its dependent claims, 17 and 21-22, are therefore allowable under § 101.

Claim 23

Claim 23 recites “deleting the question from the computer-readable medium” and is therefore allowable under § 101.

Claim 25

Claim 25 recites “A computer-readable medium” and is therefore allowable under § 101. *See* MPEP § 2106 IV.B.1 (“When . . . recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases . . .”).

For at least these reasons, claim 25 and its dependent claims, 26-30, 32-34, and 40-41, are allowable under § 101.

Claim 35

Claim 35 recites “A computer readable medium” and is therefore allowable under § 101.

For at least these reasons, claim 35 and its dependent claims, 36-37 and 42, are allowable under § 101.

Claim 38

Claim 38 is an apparatus claim that is allowable under § 101.

Claim 39

Claim 39 is an apparatus claim that is allowable under § 101.

Request for Interview

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. Applicants submit the foregoing formal Amendment so that the Examiner may fully evaluate Applicants' position, thereby enabling the interview to be more focused.

This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

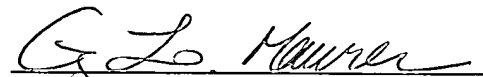
Conclusion

The claims in their present form should now be allowable. Such action is respectfully requested.

Respectfully submitted,

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